United Nations A/62/819–S/2008/276

General Assembly
Security Council

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25 April 2008

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General Assembly
Sixty-second session
Agenda item 22
Question of Cyprus

Security Council
Sixty-third year

Letter dated 24 April 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 23 April 2008, addressed to you by Murat Soysal, Chargé d'affaires a.i. of the Representation of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

08-32041 (E) 300408

Annex to the letter dated 24 April 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

23 April 2008

Upon instructions from my Government, I have the honour to refer to the letter dated 15 April 2008, addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/62/803-S/2008/253), which yet again contains well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following:

As stated in our previous communications addressed to you, habitually repeated allegations by the Greek Cypriot side of so-called "airspace violations" are totally unfounded and are rejected in toto by our authorities. The present allegations do not merit a detailed reply as they are of a similar nature. However, I wish to emphasize, once again, that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration in South Cyprus has no jurisdiction or right of say over flights within the national airspace of the Turkish Republic of Northern Cyprus. Furthermore, it should be emphasized that allegations of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. I also deem it imperative to point out, once again, that the attitude demonstrated by the Greek Cypriot representatives in their constant repetition of false claims is nothing more than rhetoric, which unfortunately wastes the precious time and energy of the international community. I would also like to reiterate our call to the Greek Cypriot side that it should abandon its counterproductive policies and instead concentrate on taking concrete steps towards building trust and confidence between the two peoples on the island, which would also be in line with your latest report on the extension of the mandate of UNFICYP, where you have underlined the significance of the endeavour regarding the lifting of the isolation imposed on the Turkish Cypriots.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Murat **Soysal**
Chargé d'affaires a.i.
Turkish Republic of Northern Cyprus

United Nations A/62/820–S/2008/277

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Security Council

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General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Identical letters dated 25 April 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of a Palestinian terrorist attack that resulted in the death of two Israeli civilians earlier today.

Two Israeli security guards were killed this morning in a shooting attack in an industrial zone near Nitzanei Shalom (literally: "flowers of peace") in the Sharon region. The two men — identified as Shimon Mizrahi, 53, of Bat Hefer and Eli Wasserman, 51, of Alfei Menashe — were security guards in the industrial zone, which was built to provide employment for Palestinians in Israeli factories. The zone is a prime example of the great potential for Israeli-Palestinian cooperation. Islamic Jihad and Hamas claimed responsibility for the terrorist attack.

This attack, like the recent attacks on the crossing points into the Gaza Strip, further demonstrates Hamas' intent to harm as many Israelis as possible and destroy all prospects for coexistence between Israel and the Palestinians. Palestinian terrorism remains the greatest obstacle to peace and security in the region. The Palestinian leadership must stop the violence, dismantle the terrorist infrastructure, end the cycle of impunity, and bring the terrorists to justice. Today's attack underscores the need for security measures in the West Bank, and Israel will continue to defend itself and its citizens from any threat of violence and terrorism.

I should be grateful if you would have the contents of this letter circulated as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

08-32068 (E) 290408

United Nations A/62/821–S/2008/279

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Security Council

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General Assembly
Sixty-second session
Agenda items 69, 86 and 108

Security Council
Sixty-third year

Right of peoples to self-determination

The rule of law at the national and international levels

Measures to eliminate international terrorism

Letter dated 23 April 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement issued by the Ministry of Foreign Affairs of the Republic of Cuba to mark the one-year anniversary of the unconditional release in the United States of America of the notorious international terrorist Luis Posada Carriles, which will fall on 8 May 2008 (see annex).

I should be grateful if you would have this letter and its annex issued as a document of the General Assembly under agenda items 69, 86 and 108 and as a document of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative

08-32282 (E) 300408 300408

Annex to the letter dated 23 April 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of the Republic of Cuba

16 April 2008

On 8 May 2008 it will be one year since the terrorist Luis Posada Carriles was unconditionally released in the United States.

Judge Kathleen Cardone handed down that ruling, dismissing the charges brought against Posada by the Government of the United States. The terrorist had been accused only of having committed fraud and having lied to Immigration and Customs Enforcement authorities in order to obtain naturalization in the United States. At the time, Judge Cardone stated that "[t]he realm of this case is not [...] terrorism. It is immigration fraud. Terrorism, and the determination of whether or not to classify an individual as a terrorist, lies within the sound discretion of the executive branch".

The United States Government has not charged Posada for his acts of terrorism, even though it has all the evidence arising from its long-standing relationship with him, as well as the evidence that Cuba has been providing since 1998.

Paradoxically, it was Judge Cardone herself who, in one of her initial rulings, highlighted the fact that Posada is a dangerous terrorist and even listed some of the many crimes committed by this malevolent individual.

Judge Cardone noted that Posada participated in some of the most abhorrent acts of the last century. The long list includes the Iran-Contra scandal, the downing of Cubana de Aviación flight 455, the bombing of tourist sites in Havana in 1997 and the planned assassination of the Commander-in-Chief in Panama in 2000.

The Ministry of Foreign Affairs condemns the complicit failure of the United States Government to act and the protection afforded to Luis Posada Carriles by the Administration of President George W. Bush.

Although it persists in styling itself as the leader of its self-proclaimed "war on terror", the United States Government continues to ignore the request for Posada's extradition, which was submitted on 15 June 2005 by the Government of the Bolivarian Republic of Venezuela.

President George W. Bush refuses to try Posada for what he really is — a terrorist — thereby blatantly violating his own legislation and his international obligations and demonstrating, once again, his personal commitment to Miami's Cuban-American mafia.

The release of the terrorist and former Central Intelligence Agency operative shows that his pedestrian trial in the United Nations is a farce.

The ridiculous and shameful efforts by the prosecution service to delay, on repeated occasions, the immigration fraud case amount to dilatory legal tactics

designed to impede the delivery of justice, which, in this case, has been postponed for an extraordinary length of time.

Those efforts are in stark contrast to the aggressive attitude of the same prosecution service when dealing with the case of our Five Heroes, anti-terrorist crusaders, some of whom were sentenced to life imprisonment during a dubious trial held before a biased court in Miami.

Meanwhile, the terrorist's legal team has been granted numerous extensions to pursue the endless immigration case, which carries no guarantee of a penalty, however minimal, for the released terrorist.

The terrorists Santiago Álvarez, Osvaldo Mitat and Ernesto Abreu have received equally lenient treatment. On 11 February 2008, Judge David Briones sentenced them to 10, 8 and 2 months' imprisonment, respectively, for having refused to testify against Posada after having brought him illegally to the United States on board the vessel *Santrina*.

The same thing happened with his accomplices, Rubén López Castro and José Pujol, who, on 17 March 2008, were sentenced by Judge Cardone on the same grounds to 10 and 3 months' imprisonment and fines of $500 and $250, respectively.

The peaceful life led by the terrorist Luis Posada Carriles in Miami, under the protection of the United States Government, is yet another item on the long list of abuses, violations and atrocities for which the Bush Administration will be remembered.

How could we forget the secret kidnapping of individuals all over the world and the sanction of torture, all on the pretext of the fight against terrorism?

With only nine months of its term remaining, it is becoming clear that the legacy of this Administration in the fight against terrorism will be hypocrisy and the lack of political will to combat that phenomenon if doing so does not benefit North American political interests.

The impunity guaranteed to Luis Posada Carriles by the United States Government is further evidence that our nation needs to defend itself against anti-Cuban terrorism originating from and funded by that country.

On 12 September 2008, our Five Heroes will have been unjustly and cruelly detained for 10 years in United States prisons for having fought against terrorism.

The Ministry of Foreign Affairs confirms that the Cuban people will continue to demand that the criminal be brought to justice.

United Nations A/62/822

General Assembly

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Sixty-second session
Agenda item 113 (d)
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 15 April 2008 from the Permanent Representative of Serbia to the United Nations addressed to the President of the General Assembly

I have the honour to forward herewith the aide-memoire on the candidature of the Republic of Serbia for election to the United Nations Human Rights Council for the period 2008-2011 (see annex).

(*Signed*) Pavle **Jevremović**

08-32296 (E) 050508

Annex to the letter dated 15 April 2008 from the Permanent Representative of Serbia to the United Nations addressed to the President of the General Assembly

Aide-memoire on the candidature of the Republic of Serbia to the United Nations Human Rights Council

The Government of the Republic of Serbia (the then State Union of Serbia and Montenegro) decided in 2006 to put forward its candidature to the UN Human Rights Council for the term 2008-2011 at the elections to be held during the 62nd session of the UN General Assembly.

Aware of the importance accorded to human rights issues the Republic of Serbia, from the outset actively supported the creation of the Human Rights Council, expressing thus its hope that human rights will be further reinforced and strengthened.

The Republic of Serbia has been actively involved in promoting the principles upheld by the UN, including through the dissemination of the ideals and universally accepted principles and norms enshrined in the UN Charter, the Universal Declaration of Human Rights and relevant international human rights instruments.

The Republic of Serbia has assumed the highest international standards in the area of human rights, becoming party to almost all the major international and regional treaties and protocols in the field of human and minority rights, international humanitarian law and refugee law.

Up to present the Republic of Serbia has ratified the most important universal treaties, namely:

- International Covenant on Civil and Political Rights (ICCPR),
  - Optional Protocol to the ICCPR concerning individual complaints,
  - Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty,
- International Covenant on Economic, Social and Cultural Rights (ICESCR),
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),
  - Optional Protocol to the CAT concerning regular visits by national and international experts to places of detention,
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD),
- International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
  - Optional Protocol to the CEDAW, concerning individual complaints and inquiry procedures,
- Convention on the Rights of the Child (CRC),
  - Optional Protocol to the CRC on the involvement of children in armed conflicts,
  - Optional Protocol to the CRC on the sale of children, child prostitution and child pornography,
- Slavery Convention 1926 as amended 1956,
- Convention on the Suppression and Punishment of the Crime of Apartheid,
- International Convention against Apartheid in Sports,
- Rome Statute of the International Criminal Court,
- UN Convention against Transnational Organized Crime and its Protocols against the smuggling of migrants by land, sea and air and to prevent, suppress and punish trafficking in persons,
- Convention relating to the Status of Refugees and its Protocol,
- Four Geneva Conventions and their Two Additional Protocols, etc.

The Republic of Serbia accepted being subject to all communication procedures of the United Nations human rights instruments it has ratified.

The Republic of Serbia has signed the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families as well as two recently adopted conventions - International

Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

The Republic of Serbia is also a state party to the 69 International Labour Organization conventions including 8 core ILO conventions.

The Republic of Serbia co-operates actively with the Council of Europe (CoE) and the Organization for Security and Cooperation in Europe (OSCE) in the field of protection of human and minority rights and fundamental freedoms, as well as promoting rule of law and further democratization of society. It has ratified 33 Council of Europe conventions related to human and minority rights including the most relevant – the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Framework Convention for the Protection of National Minorities and the European Charter on Regional or Minority Languages.

The Republic of Serbia fully supports the work of the UN HRC Special Procedures. In that regard it has extended a standing invitation for country visits to the United Nations Special Procedures. Mr. A. Ligabo, Special Rapporteur of the United Nations Commission for Human Rights for the promotion and protection of the right to freedom of opinion and expression and Mr. W. Kallin, Special Representative of the UN Secretary-General on the human rights of internally displaced persons officially visited Serbia (Serbia and Montenegro) in 2004 and 2005 respectively. In September 2007 the Special Representative of the Secretary-General of the United Nations on the Rights of Human Rights Defenders, Ms. H. Jilani, visited Serbia. Invitation for the visit has been extended to Ms. Asma Jahangir, Special Rapporteur on freedom of religion or belief, and her visit is expected to take place in 2009.

As a member of the Executive Board of UNICEF, the Commission for Sustainable Development, the Executive Committee of the United Nations High Commissioner for Refugees, Serbia has actively contributed to their work. In cooperation with OSCE and the Council of Europe it has hosted a number of conferences and seminars in the field of human rights and the protection of national minorities.

Serbia's achievements in the field of Human Rights

In the past seven years a considerable increase in the pace of reforms has been achieved in Serbia. These reforms concerned notably the adoption of new laws, the harmonization of national legislation with international commitments, the setting up of governmental structures and national institutions in the field of human rights.

Actions taken at the legislative level

The new constitution of the Republic of Serbia adopted in 2006 guarantees a wide range of human and minority rights, and stipulates for direct implementation of human and minority rights guaranteed by the generally accepted rules of international law and ratified international instruments.

In the comprehensive process of legislative activities undertaken since 2000 a number of new laws harmonized with highest international norms and standards has been adopted, such as - the Law on the Protection of Rights and Freedoms of the National Minorities (2002), the Broadcasting Act (2002), the Law on Free Access to Information of Public Importance (2004), the Criminal Code (2005), the Criminal Procedure Code (2006), the Labor Act (2005), the Family Act (2005), the Act on Police (2005), the Law on Juvenile Crimes and Criminal and Legal Protection of Minors (2005), the Law on Protector of Citizens (2005), the Law on Prevention of Discrimination against Persons with Disabilities (2006), the Law on Asylum (2007) etc. The **National Strategy for Judicial Reform** was adopted in 2006 with the aim to implement reforms at all levels of the judiciary, so as to ensure an independent, effective and efficient institution that is essential for a just, transparent and accountable Government.

Bearing in mind that the Republic of Serbia is multinational, multicultural and multi-linguistic country, it pays a special attention to bilateral cooperation with its neighbors, particularly to the protection and improvement of the

status of national minorities. In this regard, the Republic of Serbia has concluded several bilateral agreements with neighboring countries.

With the aim of dealing with specific human rights issues in more comprehensive and holistic manner the Republic of Serbia has adopted numerous national strategies - **National Strategy for Roma's Inclusion, as well as action plans on education, health, social issues, housing** etc. regarding the improvement of the status of Roma, which stipulates wide measures of affirmative actions. The Republic of Serbia has also adopted **Poverty Reduction Strategy** as well as **National Action Plan for Children**. Being a country with large number of refugees and internally displaced persons and paying particular attention to this vulnerable population the Government of Serbia adopted a comprehensive **National Strategy for resolving the problems of refugees and IDPs in 2002**. Recognizing the need for the improvement of the position of persons with disabilities the Government of the Republic of Serbia adopted the **National Strategy for Improving the Position of Persons with Disabilities** in 2006.

Actions taken at the institutional level

- The **Ombudsperson of the Republic of Serbia** (Protector of Citizens) was established in 2005. The National Assembly of the Republic of Serbia elected the national ombudsman and his Office has been in function. The Provincial Ombudsman was established in 2002 in the Serbia's Autonomous Province Vojvodina;
- The **Agency of Human and Minority Rights** was established within the Government of the Republic of Serbia with the main objective to: provide expertise within the Government of the Republic of Serbia in terms of the protection and improvement of human and minority rights; participate in drafting legislation related to human and minority rights; monitor the harmonization of national legislation with international agreements and other international legal instruments of human and minority rights and, accordingly, initiate amendments to national regulations; represent the Republic of Serbia before the European Court of Human Rights; coordinate relevant ministries in preparation of reports on the implementation of international instruments on human and minority rights.
- **National Councils of national minorities** in the Republic of Serbia were established according to the Law on the Protection of Rights and Freedoms of National Minorities.
- The Government of the Republic of Serbia set up the **Council of the Republic of Serbia for National Minorities** consisted of the representatives of 15 national minorities' councils and respective ministries in charge for the interior affairs, justice, public administration, education, culture and religion and chaired by the Prime Minister of the Republic of Serbia.
- The Government of the Republic of Serbia set up **Council on Gender Equality (2003)** as an independent government body comprising prominent personalities from public, political and professional life. The activities of the Council in achieving gender equality are focused on discussing and proposing measures for the promotion of the policy and strategy for improvement of gender equality;
- The National Assembly of the Republic of Serbia set up the **Gender Equality Committee**;
- The Government of the Republic of Serbia established **Council for Child Rights (2002/2003)**. This body plays a very significant role in proposing measures to the Government in the field of child protection and especially protection of children from violence;
- The **National Anti-Trafficking Team** was established in the Republic of Serbia in 2002. The Ministry of Labor, Employment and Social Policy of the Republic of Serbia set up the Service for the Coordination of Assistance to the Victims of Human Trafficking (2003). The Government of the Republic of Serbia set up the Council for Combating Human Trafficking at ministerial level in 2004;
- Within the Ministry of Labour and Social Policy there is a **Sector for the Protection of Persons with Disabilities**. The Government of Serbia set up **Council for Persons with Disabilities** in 2007, comprised of representatives of relevant ministries and representatives of civil sector;
- The **Commissioner for Information of Public Importance** has been elected in 2004. The Commissioner, as an independent government agency, independent in performing his competences, provides for the

realization of the right to free access to information of public importance in accordance with the Law on Free Access to Information of Public Importance (2004).

Serbia's pledges and commitments in the field of Human Rights

At the international level

- Strive for the full realization of civil, political, economic, social and cultural rights, paying attention also to the right to development;
- Cooperate with universal and regional organizations with the aim to increase their role in defending and promoting human rights, especially through more development assistance directed at the improvement of the human rights situation;
- Pursue international cooperation programs on human and minority rights, gender equality, child protection, democracy, good governance and the rule of law;
- Support the work of the Office of the High Commissioner for Human Rights (OHCHR), through strengthening its capacity, as well as through close cooperation with the High Commissioner. As of this year Serbia will start making voluntary contributions to the Office of the UN High Commissioner for Human Rights;
- Present, on a regular basis, periodic reports to the relevant treaty bodies, ensure the participation of high level delegations at their presentation and implement recommendations and observations made by treaty bodies after examination of the report.
- Cooperate fully with treaty bodies and actively participate in the discussions on the reform of the treaty bodies for a more effective monitoring system;
- Support the elaboration of additional Protocol to the UN Covenant on Economic, Social and Cultural Rights;
- Work for the implementation of the commitments of Millennium Development Goals, as well as Action Plans of Vienna, Beijing, Cairo, Copenhagen and other major UN international Conferences.

At the national level

- Ensure the ratification or adherence to the very few international instruments to which the Republic of Serbia has not yet become party;
- Continue cooperation with the special procedures, by maintaining standing invitation to representatives of thematic mechanisms in order to continue work towards the fulfillment of its commitments on human rights issues;
- Continue to harmonize the national legislation with international commitments;
- Strengthen national mechanisms in charge of the promotion of human rights such as the Council of the Republic of Serbia for National Minorities, Office of the Ombudsperson, Council for the Protection of Persons with Disabilities, Council for Gender Equality, Council for Child Rights etc;
- Provide for and implement measures for the improvement of full and effective equality in different fields of social life;
- Promote further development of multiethnic and multicultural societies in all their aspects – domestically and worldwide;
- Pursue its efforts to promote the role of women in various national sectors, to eliminate violence against women, child abuse, including domestic violence;
- Work with civil society including non-governmental organizations in the promotion and implementation of human rights programs, as well as undertake the widest possible promotion of human rights;
- Promote awareness of human rights in the society by their introduction in the educational system at all levels, as well as through media and civil society, and adoption of a National strategy for human rights.

At the level of the Human Rights Council

- Active contribution to further strengthening of efficiency and effectiveness of the Human Rights Council to protect and promote human rights in a spirit of dialogue and cooperation, and by appropriately responding to human rights violations;
- Contribute to the work of the HRC in the field of implementation of civil, political, economic, social and cultural rights including the right to development;
- Reaffirm its commitment to the respect of human rights in the fight against terrorism, abolishment of the death penalty, absolute prohibition of torture and other cruel, inhuman and degrading treatment, as well as the protection of victims of violation of human rights;
- Support initiatives intended to fight against all forms of discrimination and xenophobia;
- Support the work of the new established mechanism within the Human Rights Council – Universal Periodic Review and, accordingly, prepare and present National Reports before the UPR (the first report to be presented in December 2008).

Willing to continue its active contribution to the strengthening of the rule of law and the promotion of the human rights at the national, as well as the international level, the Government of the Republic of Serbia would therefore appreciate the valuable support of the Member States of the United Nations to its candidature to the Human Rights Council.

United Nations A/62/823

General Assembly

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Sixty-second session
Agenda items 125 (a) and 140

Financial reports and audited financial statements, and reports of the Board of Auditors: United Nations peacekeeping operations

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2007

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered, in advance form, the report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2007 (A/62/5 (Vol. II), chap. II). During its consideration of the report, the Advisory Committee met with the members of the Audit Operations Committee, who provided additional information and clarification.

2. The Board's audit covered:

(a) Headquarters operations;

(b) Fourteen active peacekeeping operations;

(c) The United Nations Logistics Base at Brindisi, Italy;

(d) Twenty-four completed missions;

(e) The Peacekeeping Reserve Fund;

(f) The support account for peacekeeping operations;

(g) Two missions funded under the regular budget.

The Board of Auditors also addressed requests made by the Advisory Committee and the General Assembly, as outlined in paragraphs 4 and 5 of its report. The

Board's main findings are outlined in the summary and its main recommendations in paragraph 16 of the report.

3. The present report addresses general issues related to the findings of the Board of Auditors. The Advisory Committee takes into account the Board's comments on specific matters on peace operations in the context of missions' performance reports and budgets. In addition, in its general report on peacekeeping operations, the Committee makes observations and recommendations on cross-cutting issues also dealt with by the Board.

4. **The Advisory Committee commends the Board for the quality of its report.**

5. The Advisory Committee notes that the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors concerning peacekeeping operations for the financial period ended 30 June 2007 (A/62/784) was available only after the Committee had concluded its hearings with the Board of Auditors. Where applicable, the Committee will refer to the Secretary-General's report in its comments below.

6. The Board of Auditors issued a modified audit opinion with two emphases of matter on the financial statements for the period under review. The first emphasis of matter relates to the cancellation of unliquidated obligations in the amount of $202.28 million, reflected as savings on cancellation of prior-period obligations. **The Advisory Committee shares the concern expressed by the Board that the high incidence of cancellation of prior-period obligations may be indicative of an overstatement of expenditures in previous years (see also A/62/781, para. 17).**

7. The second emphasis of matter relates to the amount of $1.38 billion, representing the original cost of non-expendable property. Significant discrepancies were noted when the results of physical counts carried out were compared with the balances shown in the asset records, indicating deficiencies in the system of asset management in the various missions. Similar deficiencies were observed in relation to unused expendable property. **The Advisory Committee shares the concerns expressed by the Board and comments further on these matters in paragraphs 15 and 16 below.**

8. The Advisory Committee notes that only since 30 June 2007 have liabilities for after-service health insurance been reflected in the financial statements of peacekeeping operations. The Board therefore did not include a review for the period 2006/07 but intends to follow up on the matter in the context of its audit for the period 2007/08. **The Committee requests that this planned follow-up include a review of how after-service health insurance liabilities would be presented in the context of the implementation of the International Public Sector Accounting Standards. In this regard, the Committee recalls General Assembly resolution 61/264 on liabilities and proposed funding for after-service health insurance.**

9. **The Advisory Committee notes in its general report on peacekeeping operations that missions benefit from significant in kind contributions from host Governments and others and requests that the Board of Auditors review the matter in the context of its next report on peacekeeping operations (A/62/781, para. 20).**

10. The Advisory Committee notes that the Board followed up on the status of implementation of its recommendation regarding its analysis of the support account for the period ended 30 June 2006. The Committee recalls its request to the Board of Auditors, in accordance with Financial Regulation 7.7, to undertake an "analysis of how the support account has evolved to its current application and configuration, and how it may further evolve" (A/59/736, para. 20) and that the information provided by the Board in that regard was "mainly statistical in nature" (A/60/784, para. 30).

11. The Board had recommended to the Administration that it re-examine the provisions of the report on the support account submitted by the Secretary-General in 1990 (A/45/493). The Secretary-General responded that in February 2008, all departments and offices funded from the support account were requested to review its criteria, bearing in mind the context in which they were set out, i.e., prior to the formal establishment by the General Assembly of the peacekeeping operations support account and at a time of ad hoc backstopping of peacekeeping operations, when the establishment of peacekeeping backstopping posts was under the Secretary-General's authority (A/62/784, para. 18). The Advisory Committee notes that the Board examined nine completed reviews of electronic performance appraisal system (e-PAS) records for the period from 1 April 2006 to 31 March 2007 and found that three e-PAS workplans did not indicate activities directly related to peacekeeping. Further, the self-evaluation by six staff members did not indicate actual work done for peacekeeping. **The Advisory Committee emphasizes that it is necessary to ensure that support account resources are sought and utilized only to support peacekeeping operations.**

12. The report of the Board of Auditors points out that the Administration has agreed that, in the light of changing circumstances and needs, it will revisit the provisions of A/45/493 to determine which criteria may hamper the efficient management of the support account. **The Advisory Committee looks forward to the conclusion of that review and any related proposals that may be presented to the General Assembly by the Secretary-General.**

Results-based budgeting

13. The Board noted, in its review of compliance of the support account budget with the results-based budgeting logical framework, that "the first expected accomplishment was a general statement which did not provide for comparison with the actual accomplishment" and that "a significant number of identified outputs were activities to be undertaken to achieve the expected accomplishments and not the product of those activities, and therefore were not quantified" (A/62/5 (Vol. II), chap. II, para. 76). In this context, the Advisory Committee recalls that the General Assembly intends to take up matters related to the results-based management framework. The Committee comments further on results-based budgeting in its general report on peacekeeping operations (A/62/781, paras. 11-12).

14. The Advisory Committee shares the Board's interest in the results-based budgeting framework and notes that the Board has extensively reviewed results-based budgeting parametres of peacekeeping missions and the support account. The Committee believes that the Board is therefore in a unique position to build on the work already done and requests that the Board widen the scope of its results-based

budgeting reviews with the aim of providing an additional, evaluation-based perspective.

Expendable and non-expendable property

15. The Board of Auditors issued a modified audit opinion because of concern with regard to expendable and non-expendable property. Significant discrepancies were observed between physical counts and balances shown in computerized asset records, indicating deficiencies in the asset management systems of various missions. The Board reiterated its recommendation that an effective system of inventory management be implemented and recommended that the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the United Nations Mission in Liberia (UNMIL) and the United Nations Logistics Base at Brindisi, Italy, conduct a physical inventory and reconciliation with the Galileo system of all expendable property, update the Galileo system and ensure that Galileo records are accurate. The Secretary-General indicated in his response that a system of inventory management would be implemented by the fourth quarter of 2008 and that inventory activities in the missions noted above were ongoing (A/62/784, paras. 35 and 36). **The Advisory Committee agrees with the Board that inadequate inventory record keeping carries with it an inherent risk of financial loss to the Organization and will continue to scrutinize asset management matters during its consideration of matters related to peacekeeping operations, as well as of the Logistics Base and the support account. The Committee looks forward to receiving an update by the Board in the context of its review of peacekeeping operations for the period 2007/08.**

16. The Board recommended that the Administration consider disclosing the value of unused expendable property in preparation for the implementation of the International Public Sector Accounting Standards. The Secretary-General responded that neither the Financial Regulations and Rules nor the United Nations system accounting standards require such disclosure and that considerable administrative resources would be required to gather and maintain data combined with modifications of systems, processes and procedures but that such disclosure would be appropriate when financial statements that are in compliance with the International Public Sector Accounting Standards are prepared in the future (A/62/784, para. 34). **The Advisory Committee notes the Secretariat's explanation concerning the resource implications of taking a full inventory and updating databases. Nonetheless, the Committee believes that disclosure of the value of expendable property should not be dependent on the type of system in place, but should be considered a prudent management practice aimed at maximizing controls and minimizing risk. This applies in particular to the management of stock levels of equipment and vehicle spare parts. The Committee recommends that the Secretariat take steps to strengthen control of expendable and non-expendable equipment and requests the Board of Auditors to continue its review of the inventory management of equipment and vehicle spare parts. In its general report on peacekeeping operations, the Committee comments on the question of the management and storage of and delivery lead times for spare parts (A/62/781, para. 55).**

Vehicle fleet management

17. The Advisory Committee was informed by the Secretariat that the mission electronic fuel accounting system was implemented at MONUC, the United Nations Operation in Burundi, the United Nations Interim Force in Lebanon, UNMIL and the United Nations Mission in the Sudan. The Board recommended that measures be taken to rectify deficiencies with regard to that system. The Committee notes that the Secretariat is planning to replace the mission electronic fuel accounting system with the electronic fuel management system, commencing in the first quarter of 2009 (A/62/727, para. 60). **The Committee points out that the shortcomings revealed with regard to the mission electronic fuel accounting system underscore the importance of effective electronic fuel accounting systems as a means of control and prevention of fraud. The Committee therefore trusts that the Board will continue to assess the adequacy of internal controls and related measures to mitigate risk regarding missions' fuel consumption, as well as continue to review the adequacy of any new systems to mitigate such risks (see also A/62/781, paras. 47 and 48).**

Procurement and contract management

18. The Advisory Committee notes that the Board of Auditors has continued to pay close attention to the subject of procurement and contract management and has commented extensively on systems contracts, procurement lead times, delegation of authority, vendors' performance and liquidated damages (including performance bonds), vendors' performance reports, procurement staff and filing systems, and reviews by the Headquarters Committee on Contracts. **The Committee shares in particular the Board's concern about the non-provision of performance bonds and believes that they are paramount to identify vendors' performance records and to mitigate future financial risk to the Organization. The Committee recognizes the potential risks involved with regard to procurement activities and commends the Board for its work in this area.**

Rations management

19. The Board observed that ration storage monitoring needs to be undertaken on a daily basis so as to mitigate spoilage of goods. Upon enquiry, the Board informed the Advisory Committee that emergency rations in bunkers had not been inspected as part of its audit activities. **The Committee emphasizes that rations should be stored at the required temperature and be used while they are still fresh, and if that is not feasible, that they should be donated while their safe consumption is still possible. The Committee is concerned about the possible financial implications of spoilage as a result of goods being budgeted for and purchased but then having to be discarded. The Committee trusts that the Board will continue to monitor the situation, including rations stored at operationally critical locations (see also A/62/781, para. 49)**

Air transportation

20. The Advisory Committee agrees with the Board that aviation safety inspections are of paramount importance, forming "the basis for identifying the remedial action needed to enhance aviation safety and prevent accidents" (A/62/5 (Vol. II), chap. II, para. 248). The Committee notes with concern that, during the

period 2006/07, only 16 of the required 25 aviation surveys were concluded by headquarters aviation safety personnel and notes from paragraph 78 of the response of the Secretary-General (A/62/784) that full implementation of the Board's recommendation is dependent on the provision of resources. **The Committee stresses that regular inspections are paramount to ensure flight safety pursuant to the applicable international standards.**

21. The Advisory Committee notes that the Board of Auditors has raised a number of issues relating to non-compliance with established procedures on the transportation of non-United Nations personnel on United Nations flights, including cost reimbursement. **The Committee notes the responses by the Secretariat and the missions concerned and expects that expeditious measures will be taken to respond to the concerns raised by the Board. The Committee comments on air transportation matters in its general report on peacekeeping operations (A/62/78, paras. 40-46).**

Integrated mission planning process

22. The Administration agreed with the Board's recommendation "to ensure that integrated mission planning process guidelines are finalized and made fully operational as soon as possible (A/62/5 (Vol. II), chap. II, para. 323)". In his report on the implementation of the Board's recommendations, the Secretary-General noted that guidelines were under review in an interdepartmental and inter-agency working group, that integrated mission planning process training modules for Headquarters and field personnel would be subsequently developed and that draft guidelines would be finalized during the third quarter of 2008 (A/62/784, para. 104). **The Advisory Committee trusts that the Board will provide an update on the implementation of integrated mission planning process guidelines in the context of its review of peacekeeping operations for the period 2007/08.**

Quick-impact projects

23. At the time of the Board's review, the guidelines for the administration of quick-impact projects remained in draft form and the Board recommended their expedited finalization and implementation in all missions. The Advisory Committee notes from the Secretary-General's report on the implementation of the Board's recommendations that the target date for completion of the guidelines was the second quarter of 2008 (A/62/784, para. 106). **The Advisory Committee looks forward to an update by the Board in the context of its review of peacekeeping operations for the period 2007/08.**

Office of Internal Oversight Services

24. The Board reviewed the work of the Office of Internal Oversight Services relating to internal audit coverage of peacekeeping operations. The purpose of the review was to ascertain the extent to which reliance could be placed on its work. The Board noted that audit activities were planned on an annual basis. For 2006, of the 201 audits planned, only 86, or 43 per cent, had been undertaken and completed as at 31 December 2006, while 46 audits were ongoing at the time. **The Advisory Committee expresses concern that the Office of Internal Oversight Services carried out fewer audits than set out in its annual workplan. The Committee will monitor the situation in the context of its consideration of matters related**

to the Office and expects that the Board will continue its reviews of the implementation of the annual workplans of the Office.

25. The Advisory Committee shares the Board's concern about vacant resident auditor posts. The Committee notes that the Board has already addressed the matter, in its report on the period 2005/06, indicating that the average vacancy rate for resident auditors for the period 2004/05 was 16 per cent (A/61/5 (Vol. II), chap. II, para. 341). In its current report, the Board does not provide comparative percentages for the periods 2005/06 and 2006/07 but observes that the situation with regard to resident auditor vacancies has not improved at MINUSTAH, MONUC or UNMIL. In his report on the implementation of the Board's recommendations, the Secretary-General notes that the Office of Internal Oversight Services is planning to fill resident auditor posts by 31 October 2008 (A/62/784, para. 111); see also the Advisory Committee's general report on peacekeeping operations (A/62/781, para. 23).

26. **The Advisory Committee is very concerned that, as a result of the continued high rate of resident auditor vacancies, audit activities, in particular at large and complex peace missions, have been curtailed and that the Office of Internal Oversight Services is therefore unable to provide the oversight services to missions as envisaged by the General Assembly. The Committee will continue to monitor the matter in the context of future budget and administrative hearings with the Office of Internal Oversight Services and looks forward to an update by the Board in the context of its next report on peacekeeping operations.**

United Nations A/62/824

General Assembly

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Sixty-second session
Agenda item 16
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 28 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

I have the honour to transmit the statement of the Ministry of Foreign Affairs of Georgia dated 26 April 2008 (see annex).

I shall be grateful if the present letter and its annex could be circulated as a document of the General Assembly under agenda item 16.

(*Signed*) Irakli **Alasania**
Ambassador
Permanent Representative

08-32303 (E) 050508

Annex to the letter dated 28 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Georgia

26 April 2008

On 25 April 2008 the mass media quoted the special envoy of the Russian Foreign Ministry for relations with the CIS countries, Ambassador-at-Large V. Keniaikin, who said that "Russia is doing everything so that a military scenario is not enacted in the zone of the Georgian-Abkhaz conflict, but if it were unleashed, we would have to react, including through military means".

After Generals Baluevski and Bordiuzha, Mr. Keniaikin is the third official, and the first diplomat, to mention the threat of using military means in order to annex Georgia's sovereign territories and limit the sovereign right of Georgia to become a member of any international organization.

The statements of the aforementioned officials are in contradiction with internationally recognized principles and norms of international law, namely, the principles of territorial integrity of States, inviolability of borders and non-interference in the domestic affairs of States.

The positions mentioned in the aforementioned statements constitute a violation of paragraph 4, Article 2, of the Charter of the United Nations, according to which the threat or use of force against the territorial integrity of any State is prohibited.

According to article 2 of the annex to General Assembly resolution 3314 (XXIX) on the definition of aggression, the first use of armed force by a State against another State automatically qualifies as an act of aggression. According to article 3, paragraph (a), of the annex to the same resolution, an attack by the armed forces of a State on the territory of another State or part thereof constitutes an act of aggression. According to paragraph (b) of the same article, the use of any weapons by a State against the territory of another State also represents an act of aggression.

The Russian Federation is trying to justify its criminal policies by referring to the protection of the human rights of its citizens. Nevertheless, the acts of the Russian Federation are not in compliance with the primary responsibilities which derive from the European Convention on Human Rights and Fundamental Freedoms, namely, article 1 of the Convention, which sets forth that the High Contracting Parties shall secure the rights and freedoms of everyone within their jurisdiction.

Georgia has tried on numerous occasions to draw the attention of the international community to the destructive policy that the Russian Federation is pursuing towards regions of Georgia. This policy was reified inter alia by the illegal issuance of passports to the population in the conflict zones, the illegal appropriation of the private property of the victims of ethnic cleansing and of the Georgian State, the decision of 6 March 2008 of the Russian Federation to withdraw from the CIS decision of 19 January 1996 on measures for the settlement of the

conflict in Abkhazia, Georgia, as well as the instruction of the President of the Russian Federation issued to the Government of Russia on 16 April 2008.

Recent events make it evident that Russia is moving its policy into an extremely dangerous military dimension. Another proof of that is the act of aggression which the Russian Federation undertook on 20 April 2008, when a MiG-29 "Fulcrum" fighter jet destroyed the unmanned surveillance aerial vehicle owned by the Ministry of Internal Affairs of Georgia.

The Russian Federation's aggressive policy has become particularly intensive since the offer of the unprecedented new initiatives made by the President of Georgia to the Abkhaz side, which have been widely endorsed and supported by the international community.

It is absolutely clear that the Russian Federation has lost all legal, political and moral right to be a State facilitating the settlement of the conflict as it has already become a party to the conflict, which makes the presence of its peacekeepers on the territory of Georgia extremely risky.

Recent events make it obvious that the Russian Federation is at the same time conducting an active information campaign to justify military aggression which was planned a long time ago.

Georgia urges the international community, international organizations and the Secretary-General's Group of Friends for Georgia to assess promptly and impartially the policies of the Russian Federation and to take measures to avoid the military aggression planned against Georgia, which not only endangers our country and the whole Caucasus region but also represents a threat to international peace and security.

United Nations A/62/825

General Assembly

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Sixty-second session
Agenda item 113 (c)
Elections to vacancies in subsidiary organs and other elections: election of five members of the Organizational Committee of the Peacebuilding Commission

Letter dated 30 April 2008 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the President of the General Assembly

In accordance with paragraph 4 (c) of General Assembly resolution 60/180 and with Security Council resolution 1645 (2005), it is my pleasure as the facilitator of the group of ten leading contributors to convey to you the names of those top providers of contributions to the United Nations to serve for the second term on the Organizational Committee of the Peacebuilding Commission. They are Japan, Germany, the Netherlands, Sweden and Canada.

I have conveyed the same information to the Secretary-General, the President of the Security Council and the Chair of the Peacebuilding Commission.

(*Signed*) Alejandro D. **Wolff**
Ambassador

08-32484 (E) 300408

United Nations A/62/826–S/2008/290

General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda item 120
Implementation of the resolutions of the United Nations

Security Council
Sixty-third year

Letter dated 23 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a letter dated 21 April 2008 from the President of the Republic of Macedonia, Branko Crvenkovski, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 120, and of the Security Council.

(*Signed*) Tania **Dinevska**
Chargé d'affaires a.i.

08-32783 (E) 070508

Annex to the letter dated 23 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

21 April 2008

Taking into consideration the process taking place under your auspices in accordance with Security Council resolutions 817 (1993) and 845 (1993) and the Interim Accord of 1995, I would like to take this opportunity to inform you about the following:

Notwithstanding the entirely absurd nature of the issue, the Republic of Macedonia has been participating actively, constructively and with great commitment, in the process taking place under the auspices of the United Nations, with the mediation of your Personal Envoy, Ambassador Matthew Nimetz. Thus, the Republic of Macedonia consistently honours the international obligations it has assumed, confirming furthermore its constructiveness in respect of most of the proposals, making also a number of concessions throughout this multi-year process.

Unfortunately, the other party has not demonstrated the same commitment towards the assumed obligations, as has been confirmed by the recent flagrant violation of article 11 of the Interim Accord. According to article 11 of the above-mentioned document, the Hellenic Republic is legally bound "not to object to the application by or the membership of the Party of the Second Part in international, multilateral and regional organizations and institutions of which the Party of the First Part is a member; however, the Party of the First Part reserves the right to object to any membership referred to above if and to the extent the Party of the Second Part is to be referred to in such organization or institution differently than in paragraph 2 of United Nations Security Council resolution 817 (1993)".

In spite of such an assumed obligation, at the NATO Summit in Bucharest, from 2 to 4 April 2008, the Hellenic Republic objected to our invitation to NATO membership, conditioning the membership invitation on the prior reaching of a mutually acceptable solution on the difference regarding the name of the Republic of Macedonia, by which it directly violated the above-mentioned article.

This gross breach of obligations by the Hellenic Republic under the Interim Accord, and the consequent violation of one of the fundamental principles of international law — *pacta sunt servanda* — threaten and substantively undermine the process agreed under article 5 of the Interim Accord, as well as the principles of the Charter of the United Nations. Furthermore, the Republic of Macedonia deems that such conduct on the part of the Hellenic Republic can produce far-reaching destabilizing consequences in the region of South-East Europe.

In this respect, I should like to inform you that we have most strongly protested with the Hellenic Republic against the serious infringement of article 11 of the Interim Accord, underlining at the same time the possible ensuing consequences.

I should be grateful if the Security Council members and United Nations Member States were informed about the content of this letter.

Branko **Crvenkovski**

United Nations A/62/827–S/2008/298

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Security Council

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7 May 2008

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General Assembly
Sixty-second session
Agenda item 16
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-third year

Identical letters dated 1 May 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the joint statement of the Presidents of Ukraine and Georgia dated 30 April 2008 (annex I), the statement of the Ministry of Foreign Affairs of Georgia on increasing the number of peacekeepers in Abkhazia, Georgia dated 29 April 2008 (annex II) and the statement of the Ministry of Foreign Affairs of Georgia dated 30 April 2008 (annex III).

I should be grateful if the present letter and its annexes could be circulated as a document of the General Assembly under agenda item 16, and of the Security Council.

(*Signed*) Irakli **Alasania**
Ambassador, Permanent Representative

08-32992 (E) 080508

Annex I to the identical letters dated 1 May 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Joint statement of the Presidents of Ukraine and Georgia

30 April 2008

The Presidents of Ukraine and Georgia discussed the existing situation in terms of resolution of the conflicts in Abkhazia, Georgia, and the Tskhinvali Region, Georgia. They expressed their concern over the Russian Federation's attempts to call into question the territorial integrity of Georgia by elevating the status of relations with Abkhazia and South Ossetia. Thus the self-recognized republics are in fact encouraged to secede from Georgia.

Ukraine and Georgia condemn the recent statements of Russian officials on the possible use by Russia of "military means" for the protection of its own citizens in Abkhazia. It can be interpreted as nothing but a threat of the use of force, which represents an open provocation against Georgia.

Ukraine and Georgia reaffirm that resolution of the Georgian-Abkhaz and Georgian-South Ossetian conflicts is possible exclusively through peaceful means, in the framework of resolutions of the United Nations Security Council, in particular, Security Council resolution 1808 (2008) of 15 April 2008. These resolutions call on the United Nations Member States to respect the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders.

The Russian Federation's recent decisions prevent the implementation of these principles, create added tension and undermine efforts towards the establishment of peace in the region, in which Russia itself participates. Ukraine and Georgia call on the Russian Federation to refuse to implement the announced plans with respect to Abkhazia and South Ossetia. Ukraine is ready to consider the issue of its participation in the peacekeeping operations together with other parties concerned.

Ukraine supports the new initiative of the President of Georgia directed towards peaceful resolution of the Georgian-Abkhaz conflict and relies on a constructive response of the Abkhaz side.

Annex III to the identical letters dated 1 May 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

30 April 2008

The Ministry of Foreign Affairs and the Ministry of Defence of the Russian Federation issued statements on 29 April 2008 warning that the Russian Federation will increase the contingent of the collective peacekeeping forces in Abkhazia, Georgia.

Georgia has repeatedly emphasized that Russia's armed contingent is a major factor of destabilization in the conflict zones. Build-up of Russian troops in Abkhazia, Georgia, involves an extremely dangerous provocation, which increases the risk of escalation to an alarming extent and poses a serious threat to international peace and security.

Georgia maintains that Russia's deployment of additional troops on the territory of Abkhazia under the guise of CIS collective peacekeeping forces contradicts the decisions adopted within the CIS framework and the universally recognized norms and principles of international law.

The status and the scope of competences of the collective peacekeeping forces are regulated by the 22 August 1994 decision of the CIS Council of Heads of State. The first paragraph of this decision stipulates that the "plan on deployment of collective forces shall be agreed in accordance with the 1994 Moscow Agreement on Ceasefire and Separation of Forces". The Moscow Agreement is based on commitments that are in line with the universally recognized principles of international law and reflected in established practice for peacekeeping operations, which specify that a peacekeeping operation may take place exclusively with the consent of a State concerned. This consent implies not only general acceptance of the operation but also approval for the implementation of distinct actions within the mandate, for which such consent of a sovereign State is a sine qua non. This is in keeping with the Charter of the United Nations and the principles of sovereign equality of States, territorial integrity of States, inviolability of borders and non-interference in the internal affairs of States.

It is with due consideration of the foregoing that the 22 August 1994 decision of the CIS Council of Heads of State and the 1994 Moscow Agreement on Ceasefire and Separation of Forces determine the mandate of peacekeepers and the geographical area of their operation. The Moscow Agreement, in particular its article 2 (f), and the protocol thereto, clearly define the territory where peacekeepers enjoy freedom of movement. In all other cases, respectively, any movement of peacekeepers as well as the setting up of an additional number of checkpoints and deployment of contingent requires Georgia's consent. The stationing of an armed contingent on the territory of Abkhazia under the mandate of collective peacekeeping forces, without the consent of Georgia, will hence be considered an infringement of Georgia's territorial integrity and sovereignty and interference in its internal affairs.

The arguments provided by the Russian side to justify the need for increasing its contingent are totally baseless given that the Georgian side complies unequivocally with its commitments and the actions undertaken by it are in full compliance with international law and the 17 May 1994 Moscow Agreement on Ceasefire and Separation of Forces. Russia's use of such arguments for deploying additional troops suggests that the Russian Federation is being transformed into a party to the conflict and its actions, rather than contributing to the maintenance of peace and stability in the region, represent an infringement of the sovereignty of the neighbouring State.

The Georgian side urges the Russian Federation to abstain from taking such actions. Otherwise these steps will be assessed as an act of aggression and a gross violation of the fundamental principles of international law.